

Judge Robert S. Lasnik

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON
AT SEATTLE

UNITED STATES OF AMERICA,

Plaintiff,

v.

MARTIN LYNN GUITARD,
NEIL BURT KIKUCHI, and
JAMES RAYMOND ITO,

Defendants.

NO. CR06-00069RSL

ORDER OF CONTINUANCE

Before this Court is a Stipulated Motion to Extend the Pretrial Motions Deadline and to Continue the Trial Date;

The Court finds, after a consideration of all relevant information and the circumstances of this case, that the ends of justice would best be served by the granting of this request for continuance. The ends of justice outweigh the best interests of the public and the defendant in having the matter brought to trial sooner.

The Court finds that the parties request to extend the deadline for pretrial motions should be GRANTED. The pretrial motions deadline scheduled for April 6, 2006, is VACATED. The pretrial motions deadline is continued to June 8, 2006.

For all the reasons presented in the files and records herein, the Court finds that the parties stipulated request to continue the trial should be GRANTED. The trial date

1 currently scheduled for May 22, 2006, is VACATED. Trial shall be rescheduled to
2 September 25, 2006.

3 Any and all period of delay resulting from the granting of this continuance, from
4 the date of the filing of the parties stipulated request on May 8, 2006, until the date of
5 the rescheduled trial, shall be excludable time pursuant to Title 18, United States Code,
6 Section 3161(h)(1)(F) and (h)(8)(A), and the Court makes the following findings:

7 a. That the failure to grant such a continuance in this case would be
8 likely to result in a miscarriage of justice. 18 U.S.C. § 3161(h)(8)(B)(i);

9 b. That it is in the defendants' best interest to be aware of all of the
10 potential charges against them, and have the opportunity to negotiate settlements on all
11 of those charges;

12 c. That because of complicated discovery matters, including extensive
13 financial records, it may be unreasonable to expect adequate preparation for pretrial
14 proceedings or for the trial itself within the time limits established by Title 18, United
15 States Code, Section 3161. 18 U.S.C. § 3161(h)(8)(B)(ii).

16 IT IS SO ORDERED

17 DATED this 16th day of May, 2006

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20 Robert S. Lasnik
21 United States District Judge
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